

**VIRGINIA BOARD OF NURSING
MINUTES
March 17, 2009**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:05 A.M. on January 27, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

PRESIDING: Lynne M. Cooper, Citizen Member, President

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Peregrin C. Francisco, R.N., M.S.A., Secretary
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
Brenda L. Hale, R.N.
John M. Horn, L.P.N.
Florence Jones-Clarke, R.N., M.S.
Patricia C. Lane, R.N., B.S.N., M.B.A., H.C.A.
Evelyn Lindsay, L.P.N.
Lawrence L. Logan, Citizen Member
G. Maxine Ponn, L.P.N.

**BOARD MEMBERS
ABSENT:**

Judith E. Piersall, R.N., B.S.N.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director
Jessica Ressler, R.N., Nursing Education Consultant
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant
Donna Lee, Senior Discipline Specialist (joined later)

OTHERS PRESENT:

Ishneila Moore, Assistant Attorney General
Elaine Yeatts, Policy Analyst, Department of Health Professions
Sandra Whitley Ryals, Director, Department of Health Professions

**ESTABLISHMENT OF
A QUORUM:**

With eleven members of the Board present, a quorum was established.

ANNOUNCEMENTS:

- The next meeting of the Committee of the Joint Boards of Nursing and Medicine is scheduled for April 15, 2009.
- Ms. Douglas shared information of a Virginia Nurses Association and Virginia Partnership for Nursing Roundtable on education, nursing practice and policy scheduled for May 22, 2009.

DIALOGUE WITH THE AGENCY DIRECTOR:

Ms. Ryals discussed information that included the following topics:

- Virginia Performs Quarterly Performance Measurement ending with the second quarter of 2009.
 - Clearance rate (number of cases received vs. received), DHP rate is 118%, Board of Nursing rate is 122% (goal is 100%)
 - Age of Pending Caseload (percent of cases older than 250 days), DHP rate is 15%, Board of Nursing rate is 13% (goal is 25%).
 - Time to Disposition (percent resolved within 250 days), DHP rate is 85%, Board of Nursing rate is 79% (goal is 90%).
 - Licensing within 30 days of receipt of documents, DHP and the Board of Nursing rate is 100%
 - Customer Satisfaction DHP rate is 85%, Board of Nursing rate is 94% - 97% (goal is 97%),
- Ms. Ryals noted the Board of Nursing continues to do well, especially in the Licensing and Customer Satisfaction categories.
- Ms. Douglas added that the numbers on the monthly tracking log reflect all cases with greater than 100% clearance rate and that the number of licensees continues to increase each month.
- Healthcare Workforce Data Center update
- Legislation from the 2009 General Assembly session. HB 2405 is related to nursing workforce data collection. HB 1852 is related to the ability to share information with the respondent. HB 2211 is the expanded Prescription Monitoring Program that allows the prescriber the ability to get information and consent the same as dispensers; gives the Director of DHP the ability to enter interstate agents; and VITA exemption. HB 2407 contains changes to the Health Practitioners Intervention Program, changing the name to Health Practitioners Monitoring Program to accurately reflect the intent and focus on monitoring; adds authority to charge fees to participants; and added a designated registered nurse seat to the Monitoring Program Committee.
- An internal Health Practitioners Monitoring Program Committee and a Joint Transition Team have been appointed to work with issues related to the Program.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board did not remove items from the proposed consent agenda. Ms. Hale moved to accept the consent agenda which includes:

Minutes:

January 26, 2009 – Panel – Ms. Piersall

January 27, 2009 – Board Meeting – Ms. Cooper

January 28, 2009 – Quorum – Ms. Cooper

January 28, 2009 – Panel – Ms. Cooper

January 28, 2009 – Panel – Ms. Hale

January 29, 2009 – Panel – Ms. Hale

January 30, 2009 – Panel – Ms. Cooper

February 10, 2009 -Telephone Conference Call – Ms. Cooper

Reports:

Finance Report

Board of Nursing Monthly Tracking Log-Licensure & Disciplinary Statistics

Health Practitioners Intervention Program Report of Statistics

Agency Subordinate Tracking Log

Executive Director Report – Ms. Douglas

REPORTS:

Medication Aide Program:

Ms. Krohn reported there are 2,686 registered medication aides to date. 508 have received conditional approval and 762 are ready to test. In addition, Ms. Krohn provided the Board with a written report that included a report of the Subject Matter Expert meeting and recent testing issues with PSI that have been resolved.

Medication Aide Curriculum Review Meetings:

Ms. Francisco reviewed the minutes from the meeting held on January 20, 2009 and February 23, 2009. She reported minor changes to the curriculum were suggested and will be incorporated in the curriculum.

Medication Aide Curriculum Revisions:

Board members provided input to the proposed curriculum revisions. Dr. Selig moved to accept the revisions as proposed. The motion was seconded and carried unanimously. The revised curriculum will be in effect in May 2009.

Continued Competence Committee:

Ms. Douglas reported that the Committee met January 28, 2009 with key stakeholders that included representatives from the Virginia Nurses Association, Virginia Hospital and Healthcare Association, Virginia Health Care Association, Assisted Living Facilities and AARP and determined where they were on the issue of continued competence. The Board of Nursing and stakeholders had a good discussion but noted research on the issue is still incomplete including the National Council of State Boards of Nursing. All agreed a recommendation would come from the Committee. A MCV graduate student plans to review research and summarize it for the next Committee meeting. There will be ample opportunity for public input during the process. There is great variation in states regarding continued competence requirements. Ms. Lane asked how many Compact states have continued competence requirements. Ms. Douglas did not know, but explained the Nurse Licensure Compact stance is the individual nurse must follow their home state requirements. Ms. Douglas stated that the stakeholder group agreed with a regulatory approach versus legislative and that any requirement not be burdensome or duplicative and could be applied to a nurse in any practice setting.

Nurse Aide NNAAP Exam Results:

Dr. Saxby reviewed the nurse aide exam information for calendar year 2008 and noted Virginia's performance is below the national average. The national average for the written portion of the exam is 96% and the skills portion is 71%. Virginia scored at 92% for the written portion and 66% for the skills portion.

The plan is to do education days with PearsonVue in 2009 to help; identify the type of programs doing more poorly (i.e., high school and proprietary programs); and to discuss the issue with the Education Committee to consider if the Board wants to put in regulation criteria for minimum pass rate for continued approval of nurse aide education programs. Dr. Saxby shared one other state set a benchmark and the nurse aide education programs rose to the occasion.

Ms. Hale requested follow up on low numbers of testing candidates (i.e. 1 in 2008), by cross referencing which schools are closed.

POLICY FORUM:

Pyxis Presentation by Betty Danley, Senior Consultant, Cardinal Health:

Ms. Danley and Lisa Ann Harrington of Cardinal Health presented information to the Board and representatives from Department of Health Professions Enforcement and Administrative Proceedings Divisions on automated medication dispensing cabinets. The presentation provided information on how the systems function, their usage and reporting capabilities. The information was well received and will be helpful with cases related to medication discrepancies that involve automated dispensing cabinets.

REPORTS:

Nurse Licensure Compact Administrator (NLCA) Meeting:

Ms. Douglas attended the meeting held March 1, 2009 and shared information related to enhancements to the NURSYS system that will increase safety and communication with states. In addition, she reported on the organization and administration of the NLCA group. The NLCA and the National Council of State Boards of Nursing Board of Directors entered into a dialogue and approved funding for a full time position for the NLCA to assist with data collection, compliance and to act as a liaison with new states joining the Nurse Licensure Compact. Other topics addressed at the meeting included information on states to add regulations in order to comply with compact rules (i.e. military); what state conducts investigation among compact states and coordination of the investigation; and definition of what is “multi state discipline case”. The perception of an increase in discipline cases is impacting states decision not to enter into the NLC.

National Council of State Boards of Nursing (NCSBN) Mid Year Meeting:

Ms. Francisco and Ms. Douglas attended the meeting held in March. Ms. Francisco expressed her appreciation for being able to attend and reviewed highlights of the meeting including:

- Leadership succession for boards of nursing.
- NCLEX exam committee discussion of 2010 test plan.
- innovation in nursing education regulation and barriers thereto.

Ms. Francisco pointed out the lack of consistency of Virginia board members being able to attend, participate and provide input to NCSBN work as unfortunate. Other states were well represented by 5 or 6 people at the meeting. She also reported that Ms. Douglas is well regarded by NCSBN for her contributions.

Ms. Douglas reported on results of the CORE Survey reviewed at the NCSBN meeting. Information from the survey will be used to improve services. This was the first year Virginia participated in the survey, no surprises with high score ratings from nursing education programs. The information can be used

for performance improvement and the CORE Committee of the Board of Nursing may want to reconvene to discuss how to use this information. Ms. Douglas also covered information from the Board Governance session she attended. She noted the *Nursing Administration Quarterly* issue “The Enigma of Nursing Regulation” contains interesting information.

RECESS: The Board recessed at 12:45 P.M.

RECONVENTION: The Board reconvened at 1:05 P.M.

Board of Health Professions:

Ms. Cooper reported on the most recent Board of Health Professions meeting held February 3, 2009. Virginia Performs data and legislation were topics of interest at the meeting. The next meeting is scheduled for May, 2009.

EDUCATION:

Education Special Conference Committee:

The Board considered the recommendations of the Education Special Conference Committee from its meeting on March 16, 2009. Dr. Hahn moved to adopt the recommendations as submitted. The motion was seconded and approved unanimously. Ms. Ressler provided a breakdown of the 142 nursing education programs as:

- 83 practical nursing programs
- 33 associate degree nursing programs
- 18 baccalaureate degree nursing programs
- 1 masters degree pre-licensure nursing program
- 7 diploma nursing programs.

Education Issues:

Ms. Ressler discussed general education issues regarding nursing education programs to include:

- One program that has never obtained a NCLEX pass rate of 80% or above.
- Nursing education programs that are unable to obtain clinical sites in the northern Virginia area.
- High school programs are expecting budget cuts that may effect staffing.
- Virginia proprietary programs are using Maryland for clinical sites, applicants then apply for licensure in Maryland (Maryland does not allow proprietary programs.)
- Three LPN to RN programs are working on plans for program implementation.

Ms. Ryals stated a cost analysis of the process of approving education program applications including a critical examination of time and expertise involved for approval may be needed. Ms. Douglas concurred.

Virginia Education Capacity Team:

Dr. Saxby provided an overview of the key aspects of the teams participating in the national summit. Schools responding to the need for increased capacity, increased admissions and graduates by more than 1,000 in the last four fiscal years. The Board is licensing more registered nurses, an increase of registered nurses by examination of 1,000 in the last four fiscal years. The Virginia team

looked at data and it appears Virginia is already increasing the registered nurse graduates. The team will examine the practical nurse data at the next meeting.

Distance Learning Programs:

Dr. Saxby reviewed information provided by the National Council of State Boards of Nursing regarding legislation in Georgia related to nursing education programs. Excelsior College approached NCSBN about partnering with Excelsior to conduct research on distance learning. NCSBN declined, but will do their own research.

Consideration of Recommendation from Education Committee Regarding Simulation in Nursing Education:

Dr. Saxby reported that the Education Committee met and received information regarding simulation use in nursing education programs, indicating it is a useful tool but cautioned not to rush into a recommendation without full research. The issue will be taken to the Education Committee again with hopes of a recommendation to the Board this summer. Mr. Casway has advised the Board can handle a recommendation for the number of hours of simulation of direct care client hours by way of a guidance document.

Ms. Davis left the meeting. Ms. Lee joined the meeting.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATION CONCERNING APPLICANT:

Tijwana L. Hubbard, C.N.A. Applicant

Ms. Hubbard appeared and addressed the Board.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:12 P.M. for the purpose of deliberation to reach a decision regarding consideration of an agency subordinate recommendation regarding Tijwana Hubbard. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Power, Ms. Krohn, Dr. Saxby, Ms. Ressler, Ms. Tiller, Ms. Kleiner, Ms. Lee and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:22 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Hale moved to accept the agency subordinate recommendation to deny the application of Tijwana Hubbard for certification by examination as a nurse aide.

The motion was seconded and carried. Ms. Cooper, Ms. Francisco, Ms. Hale, Dr. Hahn, Mr. Horn, Ms. Lane, Mr. Logan, and Ms. Ponn were in favor of the motion. Ms. Jones-Clark and Ms. Lindsay opposed the motion.

RECESS: The Board recessed at 2:25 P.M.

RECONVENTION: The Board reconvened at 2:35 P.M.

OTHER MATTERS: **CGFNS Foreign Educated Practical Nurses**

Dr. Saxby addressed the Board concerning the increase in foreign national practical nursing programs in several countries such as Haiti, Jamaica and the Philippines. Although there is a need for practical nurses in the U.S., the immigration process is not as streamlined for practical nurses as for registered nurses. Another area of concern is that practical nurses are not considered professionals because their education is less than two years as designated by Citizenship and Immigration Service, which means that practical nurses are not eligible under the H-1B or Trade NAFTA temporary visa categories. There also is no predictor exam like the CGFNS qualifying exam for registered nurses, therefore, practical nurses are limited in the number of venues where they can take the U.S. license exam. CGFNS will continue to monitor and research this issue.

Ms. Mueller left the meeting.

LEGISLATION/REGULATIONS:

2009 General Assembly Report:

Ms. Yeatts reviewed information in the report related to HB 1852, HB 1939, HB 1986, HB 2163, HB 2211, HB 2396, HB 2407, SB 878, SB 965, and SB 1085.

Regulatory Action – Licensure by Endorsement – Programs not meeting minimum regulatory requirements:

Ms. Yeatts stated to the Board that at its January 2009 meeting, the Board voted to proceed with a Notice of Intended Regulatory Action to address the issue of applicants seeking licensure by endorsement who graduated from nursing education programs that did not have the required number of clinical hours. In order to accomplish the Board's intent in a more timely manner, staff is recommending a fast-track action, which would include a 60-day comment period and a public hearing. If there is no objection, it can become final 15 days after the conclusion of the comment period.

Ms. Hale moved to adopt the proposed amendments to Section 200 of Chapter 20 with a fast-track action.

The motion was seconded and carried unanimously.

Exempt Action – Amendments to Chapter 60 for delayed enforcement of medication aide registration:

SB 1032 and HB 1986 enacted by the 2009 General Assembly requires, among other things, a delay in enforcement of the medication aide registration until August 1, 2009. There was an emergency clause in the legislation, so the act

was effective on February 26, 2009. Ms. Yeatts reviewed the amendments and changes to Sections 18 VAC 90-60-90, 18 VAC 90-60-91 and 18 VAC 90-60-92 to conform regulations to provisions of the law.

Ms. Hale moved to adopt the proposed amendments with changes to Sections 18 VAC 90-60-90, 18 VAC 90-60-91 and 18 VAC 90-60-92. The motion was seconded and carried unanimously.

Exempt Action – Amendment to Chapter 20 for identification badges:

SB 1282 enacted by the 2009 General Assembly requires, among other things, that the Board's regulations on wearing identification badges allow nurses to use first name and initial only of last name in certain work environments.

Ms. Jones-Clarke moved to adopt the proposed amendments to 18 VAC 90-20-35 and the proposed changes to 18 VAC 90-25-15 to include the same proposed wording as contained in 18 VAC 90-20-35 (A).

The motion was seconded and carried. Ms. Francisco, Ms. Hale, Ms. Jones-Clarke, Dr. Hahn, Mr. Horn, Ms. Lane, Mr. Logan, Ms. Lindsay, and Ms. Ponn were in favor of the motion. Ms. Cooper abstained from voting.

OTHER MATTERS:

NURSYS Data Integrity Project:

The NCSBN has offered resources to assist the Board in correcting licensing data so that it can be accurate and complete when it is submitted to NURSYS. Ms. Douglas and Board staff are working with Department of Health Professions IT staff and NCSBN to evaluate the need and will develop a request to submit to NCSBN Board of Directors following Department of Health Professions approval.

Case Adjudication Issues:

Discussion occurred related to consistency in decision making, workload of the Board and monitoring case load. Ms. Douglas reported that Board staff were currently monitoring more than 100 people. The Board is currently reviewing the process of how it handles HPIP dismissal cases. Some licensees will not participate in HPIP, but would prefer monitoring by the Board since the cost would be less for a participant. The Board does not have as much expertise as HPIP in matters related to impairment and monitoring. Consideration also has to be given to how many chances a licensee would receive if there is continued non-compliance with HPIP.

Dr. Selig re-joined the meeting.

Certified Nurse Aides (CNA) with finding of abuse, neglect, misappropriation:

Ms. Power provided an overview of certified nurse aide discipline case adjudication as it relates to the federal requirements and findings of abuse, neglect and misappropriation.

Ms. Hale left the meeting.

Requests for Accommodation:

CLOSED SESSION:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* at 3:38 P.M. for consultation with and the provision of legal advice by the Assistant Attorney General in the matter of accommodation requests and that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* for the purpose of deliberation to reach a decision regarding consideration of consent orders and agency subordinate recommendations regarding applicants.. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Power, Ms. Krohn, Ms. Kleiner, Ms. Ressler, Dr. Saxby, Ms. Tiller, Ms. Lee and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:15 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Alazar Tekle, Medication Aide Applicant

Ms. Ponn moved to grant approval to Alazar Tekle for extended time to take the Medication Aide exam and written exam with large print to allow the applicant to take the exam.

The motion was seconded and carried. Ms. Cooper, Dr. Hahn, Mr. Horn, Ms. Lane, Mr. Logan and Ms. Ponn were in favor of the motion. Ms. Jones-Clarke, Ms. Francisco, Ms. Lindsay and Dr. Selig opposed the motion.

Connie Sears, C.N.A. Applicant

Dr. Hahn moved to grant approval to Connie Sears to use an electronic stethoscope for the skills portion of the nurse aide (NNAAP) examination.
The motion was seconded and carried unanimously.

Felicia White, C.N.A. Applicant

Dr. Hahn moved to grant approval to Felicia White to use a digital stethoscope for the skills portion of the nurse aide (NNAAP) examination, as long as her diagnosis supports a hearing loss.
The motion was seconded and carried unanimously.

Kendra Harvey, R.N. Applicant

Dr. Hahn moved to grant approval to Kendra Harvey for time and one half and a private room to take the NCLEX-RN examination.
The motion was seconded and carried unanimously.

Emily Segal, R.N. Applicant

Ms. Ponn moved to grant approval to Emily Segal for time and one half to take the NCLEX-RN examination.
The motion was seconded and carried unanimously.

Linda Salazar, R.N. Applicant

Dr. Selig moved to grant approval to Linda Salazar for time and one half and a private room to take the NCLEX-RN examination.
The motion was seconded and carried unanimously.

Dr. Saxby and Ms. Ressler left the meeting.

**CONSIDERATION OF CONSENT ORDERS AND AGENCY SUBORDINATE RECOMMENDATIONS
CONCERNING APPLICANTS:**

Susan J. Fitzpatrick, L.P.N.

Dr. Selig moved to accept the consent order for the voluntary surrender for indefinite suspension of Susan Fitzpatrick's license to practice practical nursing in Virginia.
The motion was seconded and carried unanimously.

Deborah F. Weeks, R.N.

Ms. Francisco moved to accept the consent order for the voluntary surrender for indefinite suspension of Deborah Weeks' license to practice professional nursing in Virginia.
The motion was seconded and carried unanimously.

Judy K. Jones, C.N.A.

Ms. Jones-Clarke moved to accept the consent order for the voluntary surrender for indefinite suspension of Judy Jones' certificate to practice as a nurse aide in Virginia.
The motion was seconded and carried unanimously.

Nancy S. Summers, a.k.a., Nancy S. Summers-Reyes, R.N.

Dr. Selig moved to accept the consent order for indefinite suspension of Nancy Summers-Reyes' license to practice professional nursing in Virginia.
The motion was seconded and carried unanimously.

Gary S. Kisner, L.P.N.

Ms. Francisco moved to accept the consent order for indefinite suspension of Gary Kisner's license to practice practical nursing in Virginia for a period of not less than two years.
The motion was seconded and carried unanimously.

Latasha R.F. Rossin, C.N.A. Applicant

Dr. Selig moved to accept the agency subordinate recommendation to approve the application of Latasha Rossin for certification by examination as a nurse aide.
The motion was seconded and carried unanimously.

Sarah M. Epperson, C.N.A. Applicant

Ms. Francisco moved to accept the agency subordinate recommendation to approve the application of Sarah Epperson for certification by examination as a nurse aide, contingent upon receiving evidence that Ms. Epperson has entered into a Recovery Monitoring Contract with the Health Practitioners' Intervention Program and remaining in compliance with said contract.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lindsay, Mr. Logan, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Lane opposed the motion.

Cheryl Self, R.N. Applicant

Dr. Selig moved to accept the special conference committee's recommendation to deny the application of Cheryl Self for licensure by endorsement as a professional nurse.

The motion was seconded and carried unanimously.

Julie I. Peters, L.P.N. Applicant

Mr. Horn moved to accept the special conference committee's recommendation to deny the application of Julie Peters for licensure by repeat examination as a practical nurse.

The motion was seconded and carried unanimously.

Linda S. Burns, Medication Aide Applicant

Dr. Hahn moved to accept the special conference committee's recommendation to deny the application of Linda Burns for registration by examination as a medication aide.

The motion was seconded and carried unanimously.

As there was no additional business, the meeting was adjourned at 3:40 P.M.

Lynne Cooper, Citizen Member
President

Note - Copies of reports referenced can be obtained by contacting the Board of Nursing office.

**VIRGINIA BOARD OF NURSING
EDUCATION INFORMAL CONFERENCE COMMITTEE
MINUTES
March 16, 2008**

TIME AND PLACE: The meeting of the Education Special Conference Committee was convened at 9:09 a.m. in Suite 201, Department of Health Professions 9960 Mayland Drive, Second Floor, Richmond, Virginia.

MEMBERS PRESENT: Patricia C. Lane, R.N., B.S.N., M.B.A., H.C.A., Chairperson
Florence Jones-Clarke, R.N., M.S.
G. Maxine Ponn, L.P.N.
Joyce A. Hahn, Ph.D., A.P.R.N., NEA-BC

STAFF PRESENT: Jay Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director
Jessica C. Ressler, R.N.C., M.S.N., Nursing Education Consultant
Jean Moseley, R.N., M.S., On-Site Visitor
Laura Mueller, Administrative Assistant

CONFERENCES SCHEDULED:

REGISTERED NURSING, PRACTICAL NURSING, AND NURSE AIDE EDUCATION PROGRAMS

Provisional Approval to Establish a Nursing Education Program

Stratford University – Baccalaureate Degree Nursing Education Program, Falls Church

Janet Byers, RN, PhD, Program Director, Habib Khan, CAO, PhD and Richard Shurtz, PhD, President were in attendance.

At 9:21 a.m., Ms. Ponn moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Stratford University – Baccalaureate Degree Nursing Education Program, Falls Church. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 9:41 a.m.

Ms. Ponn moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully

exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Accept the curriculum as fulfilling the requirements to establish a pre-licensure registered nursing education program;
2. Accept the under Tab.8 as evidence of the role of the program director in the design and development of the nursing skills lab;
3. A site visit is required to review the physical plant; and
4. The authorization to advertise this program and admit students is **not** granted until the site visit is conducted and the report of that visit is reviewed and approved by the Board.

Application to Establish a Nursing Education Program

Everest College – Associate Degree Nursing Education Program, McLean

Jeanne Hatley, MSN, RN, Regional Nursing Director was in attendance.

At 9:59 a.m., Ms. Ponn moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Everest College Associate Degree Nursing Education Program, McLean. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 10:11 a.m.

Ms. Ponn moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Accept the application to establish a pre-licensure registered nursing education program;
2. Due to the fact that this program has no NCLEX-RN history, cap the number of admissions to 25 for the first day class until the Board can evaluate the NCLEX pass rates for all the associate degree nursing education programs; and

3. The authorization to advertise this program and admit students is **not** granted.

On-Site Visit for Provisional Approval to Establish a Nursing Education Program

Fortis College – Associate Degree Nursing Education Program and Practical Nursing Education Programs, Richmond

Lucy Smith, RN, MS, PMHCNS-BC, Director was in attendance.

At 10:14 a.m., Ms. Ponn moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Fortis College Associate Degree Nursing Program and Practical Nursing Education Programs, Richmond. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 10:30 a.m.

Ms. Ponn moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Accept the documentation of the site visit;
2. Provide the Board with a current faculty summary within 14 days or by April 15, 2009;
3. The first quarterly report will be due June 15, 2009;
4. Grant provisional approval and the admission of students and the advertisement of this associate degree nursing and practical nursing program are authorized; and
5. NCSBN will be notified and a program code will be assigned to this associate degree nursing program and practical nursing program.

The following suggestion for improving the program:

Purchase a toddler mannequin and crib for the skills lab as well as a baby scale.

Change of Name

Virginia Career Institute – pre-licensure Registered and Practical Nursing Education Programs, Richmond

Lucy Smith, RN, MS, PMHCNS-BC, Director was in attendance.

Action: Recommend:

1. Accept the information provided by the now Fortis College;
and
2. All data bases and NCSBN information will be changed to
reflect the new name.

Quarterly Report

The University of Virginia's College at Wise – Baccalaureate
Degree Nursing Education Program, Wise

Gregg Newschwander, PhD, RN was in attendance.

At 11:17 a.m., Ms. Ponn moved that the Education Informal
Conference Committee convene a closed meeting pursuant to §
2.2-3711 (A) (28) of the Code of Virginia for the purpose of
deliberation to reach a decision in the matter of The University of
Virginia's College at Wise Baccalaureate Degree Nursing
Education Program, Wise. Additionally, she moved that Ms.
Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller
attend the closed meeting because their presence in the closed
meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 11:37 a.m.

Ms. Ponn moved that the Education Informal Conference Committee
heard, discussed or considered only public business matters lawfully
exempted from open meeting requirements under the Virginia
Freedom of Information Act and only such public business matters as
were identified in the motion by which the closed meeting was
convened.

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report and NCLEX progress report is due
June 15, 2009. In that report, submit a current list of the
clinical sites being utilized and the clinical courses being
taught at each;
3. In that report discuss the many changes proposed and include
any feedback available regarding the changes; and
4. Provide an updated faculty summary including proof of
licensure.

Initial Approval Survey Visit

Centura College, West – Practical Nursing Education Program,
Richmond

Dionne Gibbs, RN, BS, Annemarie Harrison-Gray, RN, MS and
Antoinette Bennette were in attendance.

At 11:48 a.m., Ms. Ponn moved that the Education Informal
Conference Committee convene a closed meeting pursuant to §
2.2-3711 (A) (28) of the Code of Virginia for the purpose of
deliberation to reach a decision in

the matter of Centura College, West Practical Nursing Education Program, Richmond. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 11:59 a.m.

Ms. Ponn moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend:

1. Continue provisional approval for this practical nursing education program;
2. Develop an NCLEX-PN plan of correction and submit to the Board of Nursing by June 30, 2009 [18VAC90-20-50.B.1.b];
3. Continue quarterly reports to the Board including submission of a faculty summary with each report and evidence of progress toward program approval [18VAC90-20-50.B.1.b];

The following requirement was not met:

The NCLEX-PN pass rate has been below 80% for the past two years (65.7% in 2007 and 75.6% in 2008) [18VAC90-20-151.A.].

Application to Establish a Nurse Aide Education Program
CTS Professional Healthcare, LLC, Springfield

Thomas Albert and Susan Albert, RN, MSN were in attendance.

At 12:08 p.m., Ms. Ponn moved that the Education Informal Conference Committee convene a closed meeting pursuant to § 2.2-3711 (A) (28) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of CTS Professional Healthcare, LLC, Springfield. Additionally, she moved that Ms. Douglas, Mrs. Ressler, Dr. Saxby, Mrs. Mosley and Mrs. Mueller attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The

Committee reconvened in open session at 12:22 p.m.

Ms. Ponn moved that the Education Informal Conference Committee heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information

Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

Action: Recommend approval of the nurse aide education program at CTS Professional Health, LLC pending receipt of evidence for the following requirements:

1. Ensure that instructional personnel have evidence of competence to teach adults and submit resumes for all instructional personnel [18 VAC 90-25-30.D]; and
2. Clarify the language on the course information that relates to a "certificate" program; ensure that the students understand that they must pass the NNAAP exam in order to be placed on the nurse aide registry and use the title "C.N.A." [18 VAC 90-25-20 and 18 VAC 90-25-71].

Application to Establish a Nurse Aide Education Program
Salvation Academy, Alexandria

Action: Recommend to deny approval of the nurse aide education program at Salvation Academy and request that they resubmit an application and provide evidence of the following:

1. Ensure that instructional personnel have evidence of competence to teach adults [18 VAC 90-25-30.D];
2. Revise the brochure to reflect accurate information;
3. Revise "Nurse Aide Program Overview" to reflect accurate information;
4. Revise the class schedule to reflect what is being taught in the classroom and skills lab [18 VAC 90-25-40.A];
5. Revise the description on "teaching strategies/methods" for the clinical rotation to reflect the clinical experience that is supervised by instructional personnel;
6. Revise curriculum plan to include appropriate information for the class schedule time and learning activities that correspond to the content outline and learning objectives;
7. Remove duplication of course content;
8. Add content for misappropriation of client property and unprofessional conduct [18 VAC 90-25-40.A.8];
9. Add an objective for "demonstrating skills supporting age appropriate behavior by allowing the client to make personal choices, and by providing and reinforcing other behavior consistent with clients' dignity" [18 VAC 90-25-40.A.4.d];
10. Add content and objective for "prevention of pressure ulcers" [18 VAC 90-25-40.A.3.f]; and
11. Add "demonstrates dealing with an obstructed airway" to the skills checklist; and put the student's name on each page of the skills checklist.

Application to Establish a Nurse Aide Education Program
Star Institute, Fairfax

Action: Recommend approval of the nurse aide education program at Star Institute pending receipt of evidence for the following regulations:

1. Provide a copy of the compact state license for Ronie Lake [**18 VAC 90-25-30.A.1** and **18 VAC 90-25-30.B.1**];
2. Ensure that each student receives a copy of Board of Nursing Guidance Document 90-55 regarding the impact of criminal convictions on nurse aide certification and employment in Virginia [**18 VAC 90-25-20.B.3**];
3. Add content and objective for “modifying the aide’s behavior in response to behavior of clients” [**18 VAC 90-25-40.A.4.a**];
4. Add an objective for “demonstrating principles of behavior management by reinforcing appropriate behavior and causing inappropriate behavior to be reduced or eliminated” [**18 VAC 90-25-40.A.4.c**];
5. Add an objective on page 2 for “legal and regulatory aspects of practice as a certified nurse aide” in Virginia [**18 VAC 90-25-40.A.8**]; and
6. Add “demonstrates dealing with an obstructed airway” to the skills checklist; and put the student’s name on each page of the skills checklist.

On-Site Review Report - Nurse Aide Education Program
Amelia-Nottoway Technical Center/Southside Virginia Community College, Jetersville

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirement:

Ensure that the equipment for simulating client care is in working condition [**18 VAC90-25-50.D.5**].

And the following suggestions for improving the program:

1. Consider instituting a ceremony at the completion of the program to acknowledge student achievement; and
2. Plan regularly scheduled meetings between the program coordinator at Southside Virginia Community College and the primary instructor at Amelia-Nottoway Vocational Center.

On-Site Review Report - Nurse Aide Education Program

Danville Community College, Danville

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirements:

1. Ensure that students receive 24 hours of instruction prior to direct contact with a nursing facility client and that they receive 16 hours of instruction in the following five areas: communication and interpersonal skills; infection control; safety and emergency procedures, including dealing with obstructed airways and fall prevention; promoting client independence; and respecting clients' rights [**18 VAC 90-25-40.A.1**];
2. Add content and objective to the curriculum plan for "utilizing client's family or concerned others as a source of emotional support" [**18 VAC 90-25-40.A.4.e**];
3. Ensure that the equipment for simulating client care is in working condition [**18VAC 90-25-50.D.5**]; and
4. Change the name of the course from "Nursing Assistant Advanced" to "Nursing Assistant" or "Nurse Aide" program [**18-VAC 90-25-10** and **18 VAC 90-25-20**].

And the following suggestions for improving the program:

1. Consider specific admission criteria for the nurse aide program;
2. Consider offering CPR testing of all students; and
3. Plan to have an instructor available for the entire on-site review for future Board reviews

On-Site Review Report - Nurse Aide Education Program

New Era Nursing Services, Alexandria

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirement:

Provide evidence that the student name badge states "nurse aide student" [**18 VAC90-25-50.B.**]

And the following suggestions for improving the program:

1. Consider adding a signature page to the student's contract to include receipt of applicable law regarding criminal history and barrier crimes;
2. Add objectives to the curriculum for dealing with obstructed airway and fall prevention;

3. Consider updating the skills checklist;

4. Include a copy of the certificate of completion in each student record;
5. Update videos to reflect current practice standards; and
6. Consider offering the students an opportunity to evaluate the class theory, skills lab, clinical, and instructors.

On-Site Review Report - Nurse Aide Education Program

South Central Area AHEC, Altavista

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirements:

1. Add content and objective for “caring for and using orthotic devices” [18 VAC 90-25-40.A.6.e]; and
2. Ensure that objectives for each unit of instruction are stated in behavioral terms which are measurable [18 VAC 90-25-40.B.1].

And the following suggestions for improving the program:

1. Consider adding additional content for “maintaining range of motion”;
2. Consider expanding content and adding an objective for “positioning in chair”;
3. Consider expanding content area for “bowel and bladder training”; and
4. Consider expanding content area for “appropriate management of conflict”.

On-Site Review Report - Nurse Aide Education Program

Standard Healthcare Services, Inc., Falls Church

Action: Recommend:

Conditional approval with thirty (30) days to meet the following requirement:

Ensure that the skills checklist is dated for the date of performance of the skill by the student [18 VAC 90-25-50.A.1].

And the following suggestions for improving the program:

1. Consider developing a plan to assist the students with skills they are having difficulty with on the NNAAP exam;
2. Encourage students to take the NNAAP exam as soon as possible after completion of the program; and
3. Maintain a roster of each class and document complaints received or not.

On-Site Review Report - Nurse Aide Education Programs

Action: Recommend continued approval of the following nurse aide education programs:

Appomattox County High School (High School & Adult Programs),
Appomattox
Autumn Care of Norfolk, Norfolk
Care Plus Nursing Services & Training Center, LLC, Woodbridge
Classic Nurses Academy, Alexandria
Fauquier High School, Warrenton
Page County Technical Center (High School & Adult Programs),
Luray

Application to Establish a Nursing Education Program

Danville Community College – Associate Degree Nursing
Education Program, Danville

Action: Recommend:

1. Accept the application to establish a pre-licensure registered nursing education program; and
2. The authorization to advertise this program and admit students is **not** granted.

On-Site Visit for Provisional Approval to Establish a Nursing Education Program

Southside Virginia Community College – Associate Degree
Nursing Education Program, South Boston Campus

Action: Recommend:

1. Accept the on-site survey as fulfilling the requirements to establish a pre-licensure registered nursing education program at this campus;
2. Increase the number of reference books available to students in the library;
3. Place additional texts in the library for each course offered in both year 1 and year 2;
4. Ensure oversight to this and all campuses until a Dean is selected;
5. Ensure that a Master's prepared RN is on-site in South Boston for this ADN program;
6. Allow the current "overflow" students (17) to remain at this campus and graduate in 2010;
7. The authorization to advertise this program and admit students is granted and a program code will be obtained from NCSBN; and
8. A quarterly report must be submitted by June 15, 2009.

Quarterly Report

ITT Technical Institute – Associate Degree Nursing Education Program, Norfolk

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 1, 2009. In that report, submit the faculty summary, the number of applicants to the program, the number of students admitted, and the number enrolled on the day the report is written. Also include those courses being taught; and
3. Always send eight (8) copies of the quarterly report to the Nursing Education Consultant at the address listed on the enclosed business card.

Quarterly Report

Career Training Solutions – Associate Degree Nursing Education Program, Fredericksburg

Action: Recommend:

1. Accept the quarterly report as information; and
2. The next quarterly report is due June 1, 2009. In that report, submit the faculty summary and a current list of the clinical sites being utilized and the clinical courses being taught at each.

Quarterly Report

National School of Nursing and Allied Health, Inc. – Practical Nursing Education Program, Woodbridge

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 1, 2009. In that report, submit the faculty summary and a current list of the clinical sites being utilized and the clinical courses being taught at each; and
3. Please mail all quarterly reports to the address listed on the enclosed business card.

Quarterly Report

J. Sargeant Reynolds Community College – Practical Nursing Education Program, Richmond

Action: Recommend:

1. Accept the quarterly report as information; and

2. The next quarterly report is due June 1, 2009. In that report, submit a faculty summary, a current list of the clinical sites being utilized and the clinical courses being taught at each.

Quarterly Report

Rappahannock Community College – pre-licensure Associate Degree Nursing Education Program, Warsaw

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 1, 2009. In that report, submit a faculty summary (if there are any changes), a current list of the clinical sites being utilized and the clinical courses being taught at each; and
3. Mail an original and eight (8) copies of the next quarterly report to the address listed on the enclosed business card.

Quarterly Report

Blue Ridge Job Corps – Practical Nursing Education Program, Marion

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 1, 2009. In that report, submit a current list of the clinical sites being utilized and the clinical courses being taught at each;
3. Discuss in depth the changes you are making to ensure NCLEX-PN success; and
4. Mail an original and 8 copies to the address listed on the enclosed business card.

Quarterly Report

Medical Careers Institute – Practical Nursing Education Program, Richmond

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 15, 2009. In that report, submit a current list of the clinical sites being utilized and the clinical courses being taught at each;
3. Provide the Board with the number of graduates and the number who pass the NCLEX-PN the first time;
4. Provide an updated faculty summary if there are changes within the faculty; and
5. Mail an original and 8 copies to the address listed on the enclosed business card.

Quarterly Report

Ultimate Health School – Practical Nursing Education Program,
Falls Church

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 15, 2009. In that report, submit a current list of the clinical sites being utilized and the clinical courses being taught at each;
3. Provide the Board with the number of graduates and the number who pass the NCLEX-PN the first time;
4. Provide an updated faculty summary if there are changes within the faculty and include proof of licensure; and
5. Mail an original and 8 copies to the address listed on the enclosed business card.

Quarterly Report

Medical Learning Center – Practical Nursing Education Program,
Arlington

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 15, 2009. In that report, submit a faculty summary, including proof of licensure and current list of the clinical sites being utilized including the clinical courses being taught at each site;
3. If this program cannot graduate students in 12 months, provide a revised curriculum for a 15 month program; and
4. If the program is revised to 15 months, provide documentation that the students are aware of this fact and provide a revised student handbook and/or catalog.

Quarterly Report

Medical Careers Institute – Associate Degree Nursing Education
Program, Richmond

Action: Recommend:

1. Accept the quarterly report as information;
2. The next quarterly report is due June 15, 2009. In that report, submit a current list of the clinical sites being utilized and the clinical courses being taught at each;
3. Provide an updated faculty summary if there are changes within the faculty and include proof of licensure; and
4. Mail an original and 8 copies to the address listed on the enclosed business card.

Progress Report for NCLEX Pass Rates Below 80%

Petersburg Public Schools – Practical Nursing Education
Program, Petersburg

Action: Recommend:

1. Accept the NCLEX-PN progress report as information;
2. Provide the Board with an NCLEX plan of correction in June 2009;
3. Mail the original and 8 copies of that report to the address listed on the enclosed business card;
4. Provide the Board with the name of the assessment company; and
5. How will you use the assessment grade?

Curriculum Change

Loudoun County School of Practical Nursing – Practical Nursing
Education Program, Leesburg

Action: Recommend:

Accept the curriculum change for academic year 2010-2011 to add "Introduction to Health and Medical Sciences" to the current high school curriculum as information

Complaint

Standard Health Care – Practical Nursing Education Program,
Falls Church

Action: Recommend:

1. There is no violation of a Board of Nursing regulation; and
2. A copy of the Board action letter should be mailed to the nursing program and to the complainant whose address is on the letter of complaint

Response to Board Request

Southside Regional Medical Center – pre-licensure Registered
Nursing Online Nursing Education Program, Petersburg

Action: Recommend:

1. Accept the information provided by this nursing education program as requested by the Board as fulfilling the response to the complaint; and
2. Provide the Board with an organizational chart that shows "the lines of authority and communication of the nursing education program to the controlling body; to other departments within

the controlling institution; to the cooperating agencies; and to the advisory committee if one exists" **[18VAC90-20-70.D.]**.

Response to Board Request

Thomas Nelson Community College – pre-licensure Registered
Nursing Education Program, Historic Triangle

Action: Recommend:

Accept the information provided as fulfilling all requirements for
program approval.

Meeting adjourned at 1:12 p.m.

Paula B. Saxby, R.N., Ph.D.
Deputy Executive Director

Jessica C. Ressler, R.N.C., M.S.N.
Nursing Education Consultant